

Bautista v. City and County of San Francisco, et al.

Case No. C07-5434 CW

Exhibit A

to

Motion to Compel
Plaintiff To Provide Initial Disclosure and
To Respond to Interrogatories and
Requests for Production

Request for Sanctions

1 DENNIS J. HERRERA, State Bar #139669
2 City Attorney
2 JOANNE HOEPER, State Bar #114961
3 Chief Trial Deputy
3 SCOTT D. WIENER, State Bar #189266
4 Deputy City Attorney
4 Fox Plaza
1390 Market Street, 6th Floor
5 San Francisco, California 94102-5408
5 Telephone: (415) 554-4283
6 Facsimile: (415) 554-3837

7 Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO
8

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN FRANCISCO

11 ALEXIS BAUTISTA, an individual,

Case No. CGC-07-467555

12 Plaintiff,

13 vs.
14 **DEFENDANT CITY AND COUNTY OF
15 SAN FRANCISCO'S FIRST SET OF
16 REQUESTS FOR PRODUCTION TO
17 PLAINTIFF ALEXIS BAUTISTA**

18 CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO
POLICE DEPARTMENT, SAN
FRANCISCO POLICE OFFICER
WILLIAMS, SAN FRANCISCO POLICE
SERGEANT ESPINOZA, SAN
FRANCISCO POLICE OFFICER LUM,
DOES 1 to 20, Inclusive,

19 Defendants.
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1 Pursuant to Federal Rule of Civil Procedure 34, Defendant City and County of San Francisco
2 requests that Plaintiff Alexis Bautista answer the following requests for production and produce
3 responsive documents within 30 days of service of this document.

4 "YOU" shall mean Plaintiff Alexis Bautista and anyone acting on her behalf, including
5 without limitation attorneys, investigators, agents, employees, and legal support staff.

6 "INCIDENT" shall mean the incident(s) giving rise to this case.

7 "IDENTIFY" shall mean:

8 (a) With respect to persons, to state all known names and nicknames, all known
9 addresses (home and business), and all known telephone numbers (home, business, cellular, pager);

10 (b) With respect to documents, to describe them with particularity, to state the
11 number of pages of which they consist, to describe their contents, to state their date and manner of
12 creation, and to indicate the current persons or entities in whose possession they reside.

13 Request for Production No. 1:

14 All DOCUMENTS IDENTIFIED or referred to in YOUR initial disclosures.

15 Request for Production No. 2:

16 All DOCUMENTS IDENTIFIED or referred to in YOUR responses to interrogatories in this
17 case.

18 Request for Production No. 3:

19 All DOCUMENTS relating to, referring to, or describing the INCIDENT.

20 Request for Production No. 4:

21 All DOCUMENTS that YOU contend support YOUR claim that any defendant in this case is
22 liable to YOU.

23 Request for Production No. 5:

24 All DOCUMENTS reflecting or constituting communications relating to the INCIDENT,
25 including without limitation emails, letters, and notes.

26 Request for Production No. 6:

27 All DOCUMENTS containing, reflecting, or relating to any statements about the INCIDENT
28 by any defendant(s) in this lawsuit.

1 Request for Production No. 7:

2 All witness statements relating to or referring to the INCIDENT.

3 Request for Production No. 8:

4 All DOCUMENTS relating to or reflecting YOUR criminal history.

5 Request for Production No. 9:

6 All DOCUMENTS relating to, referring to, describing, evidencing, or supporting any
7 damages that YOU are claiming in this case.

8 Request for Production No. 10:

9 YOUR medical records relating to the INCIDENT.

10 Request for Production No. 11:

11 All DOCUMENTS reflecting any jobs held or income earned by YOU before the
12 INCIDENT.

13

14 Dated: January 18, 2008

15 DENNIS J. HERRERA

16 City Attorney

17 JOANNE HOEPER

18 Chief Trial Deputy

19 SCOTT D. WIENER

20 Deputy City Attorney

21 By: 

22 SCOTT D. WIENER

23 Attorneys for Defendant

24 CITY AND COUNTY OF SAN FRANCISCO

25

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27

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BAUTISTA V. CCSF, ET AL. – SF SUPERIOR COURT NO. CGC-07-467555**PROOF OF SERVICE**

3 I, HELEN LAU, declare as follows:

4 I am a citizen of the United States, over the age of eighteen years and not a party to the
 5 within entitled action. I am employed at the City Attorney's Office of San Francisco, Fox Plaza
 Building, 1390 Market Street, Sixth Floor, San Francisco, CA 94102.

6 On January 18, 2008, I served the attached:

7 **DEFENDANT CITY AND COUNTY OF SAN FRANCISCO'S**
FIRST SET OF REQUESTS FOR PRODUCTION TO PLAINTIFF ALEXIS BAUTISTA
 8 on the interested parties in said action, by placing a true copy thereof in sealed envelope(s) addressed
 as follows:

9 Norman Newhouse, Esq.
 10 Law Office of Norman Newhouse
 11 483 Seaport Court, Suite 103
 Redwood City, CA 94063
 12 Telephone: (650) 365-8534
 Facsimile: (650) 365-1218
Counsel for Plaintiff

13 and served the named document in the manner indicated below:

14 **BY UNITED STATES MAIL:** Following ordinary business practices, I sealed true and correct copies of the above
 15 documents in addressed envelope(s) and placed them at my workplace for collection and mailing with the United States
 16 Postal Service. I am readily familiar with the practices of the San Francisco City Attorney's Office for collecting and
 processing mail. In the ordinary course of business, the sealed envelope(s) that I placed for collection would be deposited,
 postage prepaid, with the United States Postal Service that same day.

17 **BY PERSONAL SERVICE:** I sealed true and correct copies of the above documents in addressed envelope(s) and
 18 caused such envelope(s) to be delivered by hand at the above locations by a professional messenger service. A
 declaration from the messenger who made the delivery is attached or will be filed separately with the
 court.

19 **BY OVERNIGHT DELIVERY:** I sealed true and correct copies of the above documents in addressed envelope(s) and
 20 placed them at my workplace for collection and delivery by overnight courier service. I am readily familiar with the practices
 21 of the San Francisco City Attorney's Office for sending overnight deliveries. In the ordinary course of business, the sealed
 envelope(s) that I placed for collection would be collected by a courier the same day.

22 **BY FACSIMILE:** Based on a written agreement of the parties to accept service by fax, I transmitted true and correct
 23 copies of the above document(s) via a facsimile machine at telephone number (415) 554-3837 to the persons and the fax
 24 numbers listed above. The fax transmission was reported as complete and without error. The transmission report was
 properly issued by the transmitting facsimile machine, and a copy of the transmission report is attached or will
 be filed separately with the court.

25 I declare under penalty of perjury under the laws of the State of California that the foregoing
 26 is true and correct.

27 Executed January 18, 2008, at San Francisco, California

28 
 HELEN LAU

Bautista v. City and County of San Francisco, et al.

Case No. C07-5434 CW

Exhibit B

to

Motion to Compel
Plaintiff To Provide Initial Disclosure and
To Respond to Interrogatories and
Requests for Production

Request for Sanctions

1 DENNIS J. HERRERA, State Bar #139669

2 City Attorney

2 JOANNE HOEPER, State Bar #114961

3 Chief Trial Deputy

3 SCOTT D. WIENER, State Bar #189266

4 Deputy City Attorney

4 Fox Plaza

5 1390 Market Street, 6th Floor

5 San Francisco, California 94102-5408

6 Telephone: (415) 554-4283

6 Facsimile: (415) 554-3837

7 Attorneys for Defendant

8 CITY AND COUNTY OF SAN FRANCISCO

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN FRANCISCO

11 ALEXIS BAUTISTA, an individual,

12 Case No. CGC-07-467555

12 Plaintiff,

13 vs.
14 **DEFENDANT CITY AND COUNTY OF**
15 **SAN FRANCISCO'S FIRST SET OF**
16 **INTERROGATORIES TO PLAINTIFF**
17 **ALEXIS BAUTISTA**

14 CITY AND COUNTY OF SAN
15 FRANCISCO, SAN FRANCISCO
16 POLICE DEPARTMENT, SAN
17 FRANCISCO POLICE OFFICER
18 WILLIAMS, SAN FRANCISCO POLICE
19 SERGEANT ESPINOZA, SAN
20 FRANCISCO POLICE OFFICER LUM,
21 DOES 1 to 20, Inclusive,

22 Defendants.

1 Pursuant to Federal Rule of Civil Procedure 33, Defendant City and County of San Francisco
2 requests that Plaintiff Alexis Bautista answer the following interrogatories within 30 days of service
3 of this document.

4 "YOU" shall mean Plaintiff Alexis Bautista and anyone acting on her behalf, including
5 without limitation attorneys, investigators, agents, employees, and legal support staff.

6 "INCIDENT" shall mean the incident(s) giving rise to this case.

7 "IDENTIFY" shall mean:

8 (a) With respect to persons, to state all known names and nicknames, all known
9 addresses (home and business), and all known telephone numbers (home, business, cellular, pager);

10 (b) With respect to documents, to describe them with particularity, to state the
11 number of pages of which they consist, to describe their contents, to state their date and manner of
12 creation, and to indicate the current persons or entities in whose possession they reside.

13 Interrogatory No. 1:

14 State every name that YOU have used in YOUR life.

15 Interrogatory No. 2:

16 What is YOUR date of birth?

17 Interrogatory No. 3:

18 Please provide all home addresses where YOU have lived.

19 Interrogatory No. 4:

20 Please describe with particularity each crime of which YOU have been convicted, including
21 without limitation the name of the crime, the court in which YOU were convicted, the date of
22 conviction, and the case number of the matter that resulted in the conviction.

23 Interrogatory No. 5:

24 Describe with particularity all lawsuits that YOU have filed. Please include the titles of the
25 lawsuits, the names of the parties, the courts in which the lawsuits were filed, the case number, the
26 facts underlying the lawsuits, and the resolutions of the lawsuits.

27 Interrogatory No. 6:

28 Describe with particularity how the INCIDENT occurred.

1 Interrogatory No. 7:

2 Please state all facts supporting YOUR claim that any employee of the City and County of
3 San Francisco is liable for violating YOUR federal constitutional rights, including a description with
4 particularity of what each specific employee is alleged to have done.

5 Interrogatory No. 8:

6 Please state all facts supporting YOUR claim that any employee of the City and County of
7 San Francisco is liable to YOU under California law, including a description with particularity of
8 what each specific employee is alleged to have done.

9 Interrogatory No. 9:

10 Please describe all damages that YOU are claiming in this lawsuit, including an itemization
11 of the types and amounts of damages that YOU are claiming.

12 Interrogatory No. 10:

13 IDENTIFY all persons with knowledge of the damages that YOU are claiming in this
14 lawsuit.

15 Interrogatory No. 11:

16 Describe all physical injuries that YOU sustained as a result of the INCIDENT.

17 Interrogatory No. 12:

18 As of immediately before the INCIDENT, did YOU have any mental, physical, or emotional
19 disability or injury that is similar to, or affecting the same parts of YOUR body as, any disabilities or
20 injuries that YOU are claiming as a result of the INCIDENT.

21 Interrogatory No. 13:

22 Are YOU claiming severe emotional distress or psychological injury as a result of the
23 INCIDENT?

24 Interrogatory No. 14:

25 If YOU are claiming severe emotional distress or psychological injury as a result of the
26 INCIDENT, please state all facts supporting that claim.

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1 Interrogatory No. 15:

2 If YOU are claiming severe emotional distress or psychological injury as a result of the
3 INCIDENT, please IDENTIFY all persons with knowledge of that claim.

4 Interrogatory No. 16:

5 Are YOU claiming that YOU lost income (past, present, or future) as a result of the
6 INCIDENT?

7 Interrogatory No. 17:

8 If YOU are claiming that YOU lost income (past, present, or future) as a result of the
9 INCIDENT, state all facts supporting such claim, including without limitation the precise amount of
10 lost income that YOU are claiming and the method of calculating that amount?

11 Interrogatory No. 18:

12 If YOU are claiming that YOU lost income (past, present, or future) as a result of the
13 INCIDENT, IDENTIFY all persons with knowledge of that claim.

14 Interrogatory No. 19:

15 If YOU are claiming that YOU lost income (past, present, or future) as a result of the
16 INCIDENT, IDENTIFY all DOCUMENTS supporting that claim.

17 Interrogatory No. 20:

18 IDENTIFY all health care professionals who treated YOU as a result of the INCIDENT.

19 Interrogatory No. 21:

20 IDENTIFY all mental health professionals, including without limitation psychiatrists,
21 psychologists, therapists, counselors, and social workers, from whom YOU have obtained treatment
22 or counseling in the past ten years.

23 Interrogatory No. 22:

24 IDENTIFY all health care professionals who treated YOU from ten years before the
25 INCIDENT through the present.

26 Interrogatory No. 23:

27 Are you currently experiencing any physical, mental, or emotional symptoms, pain, or
28 problems as a result of the INCIDENT?

1 Interrogatory No. 24:

2 If YOUR response to interrogatory 23 is anything but an unqualified negative response,
3 please describe all physical, mental, or emotional symptoms, pain, or problems that you are currently
4 experiencing as a result of the INCIDENT?

5 Interrogatory No. 25:

6 Please state all facts supporting your claim that the City and County of San Francisco is
7 liable to YOU under either federal or state law, including without limitation all facts supporting
8 YOUR claim that a policy, custom, or usage of the City and County of San Francisco caused all or
9 part of the injuries that YOU are claiming in this case.

10
11 Dated: January 18, 2008

12 DENNIS J. HERRERA
13 City Attorney
14 JOANNE HOEPER
15 Chief Trial Deputy
16 SCOTT D. WIENER
17 Deputy City Attorney

18 By: 

19 SCOTT D. WIENER
20 Attorneys for Defendant
21 CITY AND COUNTY OF SAN FRANCISCO

BAUTISTA V. CCSF, ET AL. – SF SUPERIOR COURT NO. CGC-07-467555**PROOF OF SERVICE**

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 FIRST SET OF INTERROGATORIES TO PLAINTIFF ALEXIS BAUTISTA**

8 on the interested parties in said action, by placing a true copy thereof in sealed envelope(s) addressed
 as follows:

9 Norman Newhouse, Esq.
 10 Law Office of Norman Newhouse
 11 483 Seaport Court, Suite 103
 Redwood City, CA 94063
 12 Telephone: (650) 365-8534
 Facsimile: (650) 365-1218
Counsel for Plaintiff

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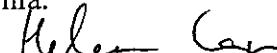
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26 I declare under penalty of perjury under the laws of the State of California that the foregoing
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27 Executed January 18, 2008, at San Francisco, California.

28 
 HELEN LAU